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FIRES & NEWBY LLP

April 30, 2012

VIA ELECTRONIC FILING

Honorable Karen Williams
United States District Court for the District of New Jersey
Mitchell H. Cohen Bldg. & U. S. Courthouse
Courtroom 5C
4th & Cooper Streets
Camden, NJ 08101

Direct Dial: (215) 972-7938
Email: bcalistri@wglaw.com

RE: Timothy Donnelly & Janice Donnelly v. National Gypsum Company et. al
U.S.D.C., District of NJ, C.A. No. 10-CV-03108-RBK-KMW
Date of Loss: 10/30/2008
Our File Number: 0052917

Dear Judge Williams:

On Wednesday evening April 25th I was contacted by the senior paralegal in the legal department of New NGC, Inc. advising that, despite his efforts to place certain materials required by Your Honor's March 30th Order on an FTP website for my office to access, he had unfortunately been unable to accomplish this task as he had hoped. He further advised me that he hoped to be able to complete this task by either Friday, April 27th or at the latest by Monday or Tuesday of this week. As this material was not available to my office by Friday evening, I am now confident I will have these responsive materials in hand, by the latest, tomorrow, and reviewed and ready for disclosure to plaintiff's counsel by the end of the week.

Thus, I am writing to respectfully request brief relief from Your Honor's March 30th Order which technically requires that these materials from my clients, New NGC, Inc. and NGC Industries, Inc., be disclosed by today. Specifically, I am requesting an additional seven (7) days in which to respond to your March 30th Order.

Under the current case management Order, plaintiff's expert reports are due June 29th and defendants' responsive reports are due August 10th. In order that plaintiffs not be harmed by this request for additional time, and in order to avoid any delay in the court's case management deadlines, I am willing to allow plaintiffs another week to complete their expert reports (thus, until July 6th) without requesting any additional extension of defendants' responsive expert deadline (which would remain where it currently stands, August 10th).

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Thank you for your consideration in this regard. I have not yet had an opportunity to confer with plaintiff's counsel concerning the above request but assure Your Honor I will reach out to counsel later today and promptly report back to the Court in this regard.

Respectfully submitted,

A handwritten signature in cursive script, reading "Brian L. Calistri".

Brian L. Calistri

BLC/kpap

cc: Brian E. Fritz, Esquire
Barbara E. Riefberg, Esquire
Joseph Cobuzio, Esquire
Brian A. Bender, Esquire

PHILADELPHIA NEW YORK PITTSBURGH NEWARK HARRISBURG SCRANTON CHERRY HILL

• 2000 Market Street • 13th Floor • Philadelphia, PA 19103
(215) 972-7900 • (215) 564-7699 (fax) • www.wglaw.com